

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES

v.

EVENS CLAUDE

CRIMINAL ACTION

NO. 12-33-01

O R D E R

AND NOW, this 25th day of August, 2020, upon consideration of *pro se* defendant Evens Claude's Emergency Motion for Compassionate Release, for a Sentence Reduction to Time Served Under 18 U.S.C. [§] 3582(c)(1)(A) (Document No. 477, filed May 26, 2020), Government's Response in Opposition to Defendant's Motion to Reduce Sentence Pursuant to 18 U.S.C. § 3582(c)(1)(A)(i) (Document No. 480, filed on June 4, 2020), *Pro Se* Defendant's Motion for Release Due to Extraordinary and Compelling Circumstances Pursuant to 18 U.S.C. [§] 3582(c)(1)(A)(1) [sic] (Document No. 481, filed June 3, 2020), *Pro Se* Defendant's First Attachment to be Added to His Emergency Motion Under 18 U.S.C. § 3582(c)(1)(A)(i) (Document No. 482, filed June 24, 2020), *Pro Se* Defendant's Second Attachment to be Added to His Emergency Motion Under 18 U.S.C. § 3582(c)(1)(A)(i) (Document No. 484, filed July 6, 2020), Government's Response in Opposition to Defendant's Motion to Reduce Sentence Pursuant to 18 U.S.C. § 3582(c)(1)(A)(i) (Document No. 485, filed July 13, 2020), and *Pro Se* Petitioner's Reply to the Government Response in Opposition to Petitioner's [sic] Motion for Compassionate Release Under 18 U.S.C. 3582(c)(1)(A)(i) [sic] Due to Extraordinary and Compelling Reasons (Document No. 487, filed July 20, 2020), for the reasons stated in the Memorandum dated August 25, 2020, **IT IS ORDERED**, as follows:

1. *Pro Se* Defendant's Emergency Motion for Compassionate Release, for a Sentence Reduction to Time Served Under 18 U.S.C. [§] 3582(c)(1)(A) (Document No. 477) is

MARKED WITHDRAWN WITHOUT PREJUDICE, by agreement.

2. *Pro Se* Defendant's Motion for Release Due to Extraordinary and Compelling Circumstances Pursuant to 18 U.S.C. [§] 3582(c)(1)(A)(1) [sic] (Document No. 481) is **DENIED** and **DISMISSED** on the record addressed in the memorandum dated August 25, 2020, as follows:

- a. To the extent that *pro se* defendant requests compassionate release under 18 U.S.C. § 3582(c)(1)(A)(i) in the Motion, the Motion is **DENIED**;
- b. To the extent that *pro se* defendant requests home confinement designation under the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act"), Pub. L. No. 116-136, § 12003(b)(2), 134 Stat. 281 (2020) in the Motion, the Motion is **DISMISSED** for lack of jurisdiction under the CARES Act.

BY THE COURT:

/s/ **Hon. Jan E. DuBois**

DuBOIS, JAN E., J.